

Amendment No. 1 to HB1774

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1848

House Bill No. 1774*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 16-22-103, is amended by adding the following language as a new, appropriately designated subdivision:

() "Regional juvenile drug court treatment program" means a docket within a juvenile court operating under § 16-22-114(b) to which selected delinquency cases and certain status offenders are referred for handling by a designated judge, and in which the program includes the following characteristics:

(A) Juveniles referred to the docket are identified as having problems with alcohol, drugs, or both;

(B) The juvenile drug court judge maintains close oversight of each case;

(C) The judge both leads and works as a member of a team comprised of representatives from treatment, juvenile justice, social services, school, and other relevant services; and

(D) A determination by the team in how best to address the substance abuse and related problems of the juvenile and the juvenile's family;

SECTION 2. Tennessee Code Annotated, Section 16-22-114, is amended by designating the existing language as subsection (a) and adding the following language as new subsections:

(b) In addition to courts exercising criminal jurisdiction and authorized to serve as drug treatment courts, as a pilot project for up to five hundred (500) juveniles in counties outside of counties operating a drug treatment court for juveniles under

Amendment No. 1 to HB1774

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1848

House Bill No. 1774*

subsection (a) on June 30, 2018, courts exercising jurisdiction over juveniles alleged to be delinquent or unruly may also develop and operate a regional juvenile drug court treatment program for juveniles who are not under the jurisdiction of another juvenile court in this state. A regional juvenile drug court treatment program shall be subject to all guidelines and requirements of §§ 16-22-101 - 16-22-104, §§ 16-22-106 - 16-22-108, and §§ 16-22-111 - 16-22-114.

(c) A court operating a regional juvenile drug court treatment program under subsections (b)-(g) shall have jurisdiction over:

(1) Any juvenile under its jurisdiction on June 30, 2018;

(2) Any juvenile from a county not under its jurisdiction on June 30, 2018, whose parent or legal guardian petitions the court to permit the juvenile to be evaluated and, if appropriate, treated as a participant in the program; and

(3) Any juvenile for whom the court with original jurisdiction orders a transfer of jurisdiction over the juvenile to the regional juvenile drug treatment court.

(d) Any parent or legal guardian who is a resident of this state may petition the nearest or most conveniently located regional juvenile drug court treatment program for a juvenile to be evaluated and, if appropriate, treated under subsections (b)-(g).

(e)

(1) Subject to the availability of public funding or private resources and in addition to any other treatment available under the regional juvenile drug court

treatment program, in-patient treatment for appropriate juveniles is authorized under the pilot project.

(2) Subject to the availability of public funding or private resources through a public/private partnership, in-patient treatment for juveniles participating in the pilot project may be authorized based on the results of a juvenile evidence-based substance abuse clinical assessment and determination of clinical need for residential treatment by a licensed substance abuse professional.

(f) A parent who voluntarily petitions the court for evaluation and treatment of a juvenile under subsections (b)-(g) shall agree to have the child attend a regional recovery high school upon release from an in-patient treatment program.

(g) As determined by the court for each juvenile in the pilot project, the program shall include meetings with a case manager, the judge, or additional persons as determined by the court.

(h) The pilot project shall be under the administrative oversight of the administrative office of the courts (AOC). Courts participating in the pilot project shall collect and maintain appropriate documentation and data elements as required by the department of mental health and substance abuse services. The AOC shall ensure appropriate documentation and data is provided to the department of mental health and substance abuse services for the purpose of program evaluation.

(i) The pilot project established by subsection (b) shall begin on July 1, 2018, and shall terminate on June 30, 2023. The department of mental health and substance abuse services shall conduct an evaluation of the pilot project and report to the general assembly with findings and recommendations concerning the pilot project on or before January 15, 2024.

SECTION 3. Tennessee Code Annotated, Section 37-1-103(a), is amended by adding the following as a new subdivision:

() Proceedings arising under § 16-22-114 for the purposes of a regional juvenile drug court treatment program;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.